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2020 AUG 17 AM 11:45

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
BOSTON

Visa Court Michael Marino
PETITIONER, DISTRICT OF MASS.

v.

United States of America
Respondents.

} Criminal #97-cr-40009-NMG.

} Judge: Gorton, USDJ.

} August 1st, 2020.

PETITIONER MARINO'S MOTION FOR THIS COURT TO RECONSIDER THIS COURT'S
ERRONEOUS DENIAL OF MARINO'S DOCUMENTS: 2461, 2463, 2465 and 2472
VIA: ITS JULY 2nd, 2020 COURT ORDER DOCUMENTS: 2477, 2478, 2479
AND 2480, WITHOUT ALLOWING MARINO TO REPLY TO GOVERNMENT'S
RESPONSE DOCUMENT: 2473, SEE FED.R.CIV.P. 54(b), 60(a) AND
FED.R.CRIM.P. RULE 36 TO CORRECT ABOVE ERROR

[1] On 6-17-2020, government's response to Marino's Documents:
2461, 2463, 2465 and 2472.

[2] On 7-1-2020, Marino filed a motion to extend time to reply
to Government's response Document: 2473, dated 6-17-2020. See
Document: 2474, dated 7-1-2020 (Marino's motion requesting until
August 10th, 2020 to reply to Government's Document: 2473.

[3] On 7-2-202, this Court in error denied Marino's Documents:
2461, 2463, 2465, and 2472, without affording Marino to reply to
Document: 2473. (Government's response).

[4] According to Fed.R.Civ.P. Rule 54(b), motion to reconsider,
in light of this Court's inadvertent error Marino requests a mean-
ingful opportunity for this Court to reply to Document: 2473, Govern-
ment's response.

[5] Moreover, Marino requests that this Court ORDER the Clerk
of Court's to correct the docket sheet concerning Documents: 2473,
2477, 2478, 2481, 2466. 2461, 2463, 2465 and 2472, inaccurately
stated Marino filed for the retroactive USSG's 404 crack cocaine
applications. Additional reasons for this Court to reverse, vacate
and remand it-self via: sua sponte it's Court Orders depicted as:
Documents: 2477, 2478, 2479, 2480, denial of Marino's Documents:
2461, 2463, 2465, and 2472.

[6] Conclusion

WHEREFORE, for all of the above specifically stated reasons,
Marino most respectfully requests the following relief from this
Honorable Court:

[7] ORDER, the Clerk of Courts to correct docket sheet precluding Marino filing any retroactive 404 Amendment under the crack cocaine law from Documents: 2473, 2477, 2478, 2481, 2466, 2461, 2463 and 2465;

[8] ORDER, the Clerk of Courts to serve Marino all of this Court's orders timely as they historically and currently failed to do so. Example Marino never received this Court's July 2nd, 2020 Order;

[9] Reverse, vacate, Documents: 2477, 2478, 2479 and 2480, Court Ordered denial of Marino's Documents: 2461, 2463, 2465 and 2472 via: Sua Sponte;

[10] ORDER, Marino's recently filed reply in opposition to government's response Document: 2473;

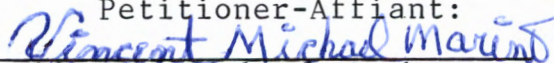
[11] ORDER, a meaningful evidentiary hearing concerning Marino's motions depicted in Documents: 2461, 2463, 2465 and 2472; or in the alternative:

[12] GRANT, Marino's motions Documents: 2461, 2463, 2465 and 2472 and resentence Marino to time served;

[13] ORDER, Marino's immediate unconditional release in light of supra.

Signed under 28 U.S.C. Section 1746. Pro-se.

Respectfully Submitted by
Petitioner-Affiant:



Vincent Michael Marino
14431-038
FCI Allenwood Medium
P.O. Box 2000
White Deer, PA
17887

Certificate of Service

I, Petitioner: Marino hereby certify that this motion was sent via: United States Mail-Postage prepaid on this 1st day of August, 2020 to the following:

Clerk of Courts
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USCH
1 Courthouse Way
Boston, massachusetts
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Re: 97-CR-40009-NMG.
Judge Gorton, USDJ.

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